

PRELIMINARY AMENDMENT ACCOMPANYING REQUEST FOR CONTINUED PROSECUTION
Appln. No. 09/484,363
Amendment dated December 7, 2004

REMARKS

Consideration is respectfully requested.

Claims 1 through 31, 39 through 42, and 44 through 54 remain in this application. Claims 32 through 38 and 43 have previously been cancelled. No claims stand withdrawn. Claim 55 has been added.

Claims 1 through 31, 39 through 42, and 44 through 54 stand allowed.

The present Amendment attends to some minor punctuation corrections in the pending independent claims that are not thought to affect the patentability of the application.

Added claim 55 requires, in part, "applying the mixture to a top surface of soil of the land area by misting a first portion of the total application rate of the mixture onto the surface of the land area", "temporarily terminating the application of the mixture to the top surface of the soil after the misting of the first portion of the mixture", and "resuming application of the mixture by applying a second portion of the total application rate of the mixture onto the top surface of soil". Support for these features is provided in the application, and particularly at pages 19 and 20 of the specification.

PRELIMINARY AMENDMENT ACCOMPANYING REQUEST FOR CONTINUED PROSECUTION
Appln. No. 09/484,363
Amendment dated December 7, 2004

CONCLUSION

In light of the foregoing remarks, early consideration and allowance of this application are most courteously solicited.

Respectfully submitted,

LEONARD & PROEHL, Prof.L.L.C.



Date: DECEMBER 7, 2004

Jeffrey A. Proehl (Reg. No. 35,987)
Customer No. 40, 158
3500 South First Avenue Circle, Suite 250
Sioux Falls, SD 57105-5807
(605)339-2028 FAX (605)336-1931